

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
DECEMBER 30, 2002**

The Tippecanoe County Commissioners met on Monday, December 30, 2002 at 9:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President KD Benson, and Member Ruth E. Shedd; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Knochel called the meeting to order.

APPROVAL OF MINUTES

Commissioner Benson moved to approve the minutes of the December 16, 2002 Regular Meeting and the December 19, 2002 Poor Relief Hearing as distributed, seconded by Commissioner Shedd; motion carried.

DISCUSSION: Juvenile Detention Center Feasibility Study Proposals: Mike McMillen and Bobbie Huskey (Huskey & Associates, Inc.)

Commissioner Benson confirmed that the Commissioners can pick and choose which tasks included in Mrs. Huskey's proposal. Such an item is the 20% commission for seeking grants since the County already has some grants in place.

Superior Court III Judge Loretta Rush advised against paying a commission for on-going grants because they need 100% of the grant money for the program. She agreed they should pay Mrs. Huskey a commission if she can find new grants.

President Knochel agreed that option should not be included since Superior Court III has secured grants on its own and the County has an in-house Grant Coordinator.

- Commissioner Shedd moved to hire Huskey & Associates, Inc. to conduct the Feasibility Study for Phases I and II with the option to pick and choose the tasks included.

Commissioner Benson pointed out that Mr. McMillen can offer the same analysis and services for less cost but said Mrs. Huskey seems more thorough. She said she can be comfortable with either. She noted that Mr. McMillen was the first choice of the Juvenile Justice Committee.

President Knochel responded that the Commissioners received no formal recommendation from the Committee. Attorney Luhman explained that the Commissioners didn't need a written recommendation but should have at least received a verbal recommendation from the Committee.

President Knochel said he was not impressed with Mr. McMillen's presentation on November 4th but thought Mrs. Huskey's presentation on November 13th was more thorough.

Commissioner Shedd said this issue has been discussed for a long time and, even though Mrs. Huskey's proposal will cost more, she wants to do it right.

- President Knochel seconded Commissioner Shedd's motion.

Commissioner Benson asked if the Commissioners would consider approving only Phase I followed by an evaluation. Attorney Luhman responded that the contract can be terminated if the Commissioners are not satisfied with Huskey's performance. Commissioner Benson expressed her concerns regarding Mrs. Huskey's busy schedule and the "team" approach her company uses. Commissioner Shedd disagreed by saying she thinks a "team" approach is good because they all have their areas of expertise.

- The motion to hire Huskey & Associates, Inc. carried with 1 no vote by Commissioner Benson.

APPROVAL OF CLAIMS

Assistant Weston recommended approving Claims for the periods ending December 20, 2002, December 27, 2002, and December 30, 2002 in the amount of \$2,651,307.12. Included is a claim for a \$750,000 transfer from the EDIT Fund to the Revolving Fund and an approximate \$500,000 transfer of the excess Courthouse Bond payment appropriation to the EDIT Fund Reserve. Claim #02-15345 in the amount of \$100,000 to Indiana Boys School that was not accepted at the December 16, 2002 meeting is not included.

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Shedd moved to approve the Claims as submitted with the exception of Claim #02-15345 to Indiana Boys School, seconded by Commissioner Benson.

Judge Rush said the County has been billed approximately \$600,000 this year for juvenile placements in Department of Corrections (DOC) facilities. This \$100,000 bill plus another \$53,000 to Indiana Boys School is her current bill. In her opinion, the County needs to pay these bills so we don't get further behind in paying off our debt.

President Knochel expressed his concern that we are being premature to pay the \$100,000 until current litigation regarding the constitutionality of the DOC's charging for juvenile but not adult incarceration is settled. In addition, we have been notified by the State Budget Agency that they are withholding our COIT payment in the amount of \$236,000 to apply toward our past due debt for housing juveniles.

Judge Rush said, until the law is changed, we owe for housing juveniles by Statute. Our payments over the past four years have kept us almost current, and she thinks the State will see this payment as a "good faith" gesture.

Attorney Luhman explained that the County Council has addressed the debt issue by paying \$100,000 annually toward our past due debt, but we have no control over where the State applies the payment.

Commissioners Shedd and Benson agreed we owe the debt and should pay it.

- The motion to approve the Claims with the exception of Claim #02-15345 carried.
- Commissioner Shedd moved to approve Claim #02-15345 in the amount of \$100,000 and Claim #02-16105 in the amount of \$53,968.32 to Indiana Boys School to apply toward the current bill, seconded by Commissioner Benson; motion carried with 1 no vote by Commissioner Knochel.

DISCUSSION: Wabash River Development Funding Request

At the December 16, 2002 meeting, Wabash River Development Coordinating Committee member John Corey requested a \$1,500 contribution from the County to help pay for brochures to move the project forward. Commissioner Benson favors making a contribution and suggested amending the EDIT Plan to include funding for this request. Commissioner Shedd also favors the contribution but thought this request should be held over until next year because funds may be available in the 2003 Budget.

- Commissioner Benson moved to table this request for funds for Wabash River Development brochures, seconded by Commissioner Shedd; motion carried.

PROPOSAL: HTE Work Order & Fleet Management Software

Commissioners' Assistant Weston explained that the Highway Department requested the addition of Work Order & Fleet Management Software to the new HTE Software package. The Highway Department has agreed to pay \$35,075 of the cost and the remaining \$39,525 will be paid from EDIT Funds designated for the HTE Project. If this Proposal is signed today, the County will save 10%, and the Highway Department can encumber available

2002 funds.

Highway Executive Director Mark Albers said this software will allow better tracking of project costs and daily activities of their vehicles as well as fuel consumption.

Mrs. Weston said usage of this software can eventually be expanded to the Sheriff's Department as well as other County facilities. She anticipates this software will go live later in 2003.

- Commissioner Benson moved to approve the Proposal from HTE for Work Order & Fleet Management Software, seconded by Commissioner Shedd; motion carried.

CAPITAL ASSET POLICY

The Capital Asset Policy on today's Agenda is not yet ready for approval, but Mrs. Weston explained it will revise the County's current Fixed Asset Policy. It will define Capital Assets, Categories of Assets, and Useful Life and Depreciation Methods. This Policy is in line with the new HTE Software implementation and GASB 34.

SCHEDULE PUBLIC HEARING: Vacation of a Public Way

Jack Wilhelm petitioned the Commissioners for the vacation of a portion of Eisenhower Road. Highway Executive Director Albers said the County has not maintained this road and favors the vacation. A Public Hearing on this matter will be held at 10:00 A.M., Wednesday, January 22, 2003.

POOR RELIEF DETERMINATION: Katrina Scott vs Wabash Township Trustee

Katrina Scott appeared before the Commissioners on Thursday, December 19, 2002 to appeal her denial of rent assistance by the Wabash Township Trustee. The Trustee denied Mrs. Scott because she and her husband failed to comply with a previous work order for a prior appeal, and Mrs. Scott was receiving TANF assistance when she filed the application for assistance on December 8, 2002.

Attorney Luhman said that, although the Commissioners believe Mrs. Scott was excused from the previous work order because she had no one to care for her infant daughter and her husband had left the household prior to her application on December 8th, they don't have the authority to require the Trustee to grant Poor Relief if an applicant is receiving TANF assistance.

- Commissioner Benson moved to approve the Findings and Decision in the matter of the appeal of Katrina Scott vs Wabash Township Trustee, seconded by Commissioner Knochel; motion carried.

DISCUSSION: Selection of New Community Corrections Executive Director

Since current Executive Director Dave Kuebler is retiring as of December 31, 2002, President Knochel said the Commissioners are waiting on a formal recommendation for a new Executive Director from the Community Corrections Selection Committee.

As a member of that Committee, Commissioner Shedd said they conducted interviews and took votes but the Commissioners have since received correspondence relating to this matter from Community Corrections Advisory Board President Ellen Phelps and Chief Probation Officer Kip Scott. Commissioner Shedd thinks the Advisory Board should hold a special meeting to determine who they will recommend.

Attorney Luhman explained that the Community Corrections Advisory Board appoints the Executive Director with the Commissioners' approval. Since the Commissioners have not received formal notice of a recommendation, the Advisory Board should appoint an Interim Director until a formal appointment is made. Attorney Luhman recommended calling an Emergency Meeting of the Advisory Board because the Interim Director should be in place by January 2, 2003.

ADJOURNMENT

- Commissioner Benson moved to adjourn, seconded by Commissioner Shedd; motion carried.

Robert A. Plantenga, Auditor